

**CITY OF MILPITAS PLANNING COMMISSION  
MEETING AGENDA  
OCTOBER 14, 2015  
CITY HALL COUNCIL CHAMBERS 7:00 P.M.  
455 E. CALAVERAS BLVD., MILPITAS, CA 95035  
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium and limit their remarks to fewer than three minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

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- IV. APPROVAL OF MINUTES:** September 23, 2015

- V. ANNOUNCEMENTS**

- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**

- VII. APPROVAL OF THE AGENDA:** October 14, 2015

- VIII. CONSENT CALENDAR**

**NO ITEMS**

- IX. PUBLIC HEARING**

- IX-1 DAY STAR MONTESSORI CUP AMENDMENT - 215 Dempsey Road - UA14-0006:** A request for a Conditional Use Permit Amendment to allow for the expansion of an existing preschool facility for a maximum of 150 students in an existing commercial building. This project is exempt from further CEQA review pursuant to Section 15301 (Existing Facilities) and Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines. Project Planner: Tracy Tam, 408-586-3276, [ttam@ci.milpitas.ca.gov](mailto:ttam@ci.milpitas.ca.gov)

*Recommendation: Staff recommends that the Planning Commission Adopt Resolution No. 15-026 approving Conditional Use Permit Amendment No. UA14-0006 to allow for the expansion of an existing preschool facility for a maximum of 150 students in an existing commercial building located at 215 Dempsey Road, subject to the findings and Conditions of Approval.*

- IX-2 PARADISE SPA CUP AMENDMENT – 200 SERRA WAY SUITE 4 – UA15-0004:** A request for a 782 square foot tenant expansion to accommodate three new massage treatment rooms, tanning room and ancillary space to an existing massage establishment. This project is exempt from further CEQA review pursuant to Section 15301 (Existing Facilities) and Section 15303 of the CEQA Guidelines. Project Planner: Cindy Hom, 408-586-3284, [chom2@ci.milpitas.ca.gov](mailto:chom2@ci.milpitas.ca.gov)

***Recommendation: Staff recommends that the Planning Commission Conduct a Public Hearing and Adopt Resolution No. 15-032 approving Conditional Use Permit Amendment No. UA15-0004 to allow for a 782 square foot tenant expansion to an existing massage establishment subject to the findings and conditions of approval.***

**IX-3 SPECIAL EVENTS ORDINANCE – ZA15-0004:** A request for a Zoning Text Amendment to adopt new provisions in the Zoning Ordinance to establish review requirements and general regulations for special events and activities. This project is categorically exempt from further CEQA review pursuant to Section 15061(b)(3) (Review for Exemptions), Section 15060(c)(2) (Preliminary Review), and Section 15183 (Projects Consistent with a General Plan, Community Plan or Zoning) of the CEQA Guidelines. Project Planner: Cindy Hom, 408-586-3284, [chom2@ci.milpitas.ca.gov](mailto:chom2@ci.milpitas.ca.gov)

***Recommendation: Staff recommends that the Planning Commission Conduct the public hearing and adopt Resolution No. 15-017 recommending the City Council adopt Zoning Amendment No. ZA15-0004 to amend the Zoning Code to add new provisions relating to special events and activities.***

## **X. NEW BUSINESS**

### **NO ITEMS**

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Any person aggrieved by any final decision of any, board, commission, or department head to the City of Milpitas may appeal the decision to the City Council by filing written notice of the appeal with the City Clerk within 12 calendar days of the date of said decision and paying the required fee. This time limit shall be strictly enforced.

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## **XI. ADJOURNMENT – The next Planning Commission meeting is scheduled for October 28, 2015.**

### **KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE**

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils and other agencies of the City exist to conduct the people's business.

This ordinance assures that deliberations are conducted before the people and the

City operations are open to the people's review.

Materials related to an item on this agenda submitted to the Planning Commission after initial distribution of the agenda packet are available for public inspection at the Planning Department office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, during normal business hours.

For more information on your rights under the Open Government Ordinance or to report a violation of the ordinance, contact the City Attorney's office at Milpitas City Hall 455 E. Calaveras Blvd., Milpitas, CA 95035 Phone 408-586-3040

*The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov) by selecting the Milpitas Municipal Code link.*

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The Planning Division will provide a recorded agenda or minutes printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division prior to the meeting at 408-586-3279.

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